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S.B. 263 – Sponsor Testimony
House Government Accountability & Oversight Committee
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Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the Government Accountability & Oversight Committee, thank you for the opportunity to provide sponsor testimony for Senate Bill 263, the Notary Public Modernization Act. This legislation will simultaneously simplify and enhance the system by which notaries public are commissioned, as well as establish the opportunity for electronic notarization to occur within the state.

As you may know, the current process for commissioning notaries public in Ohio is an antiquated and complex web of local and state government involvement that varies on a county by county basis. Due to this, there are essentially eighty-eight different manners across the state through which an individual is commissioned as a notary, leading to a great deal of confusion and inequalities in levels of training, background checks, and overall knowledge maintained by notaries.

This legislation would consolidate the commissioning of notaries public solely under the Secretary of State's office. All applications and corresponding fees would be sent directly to and processed by the Secretary of State. Additionally, the legislation requires applicants to submit a BCI background check, participate in an approved training course, and pass an assessment in order to be commissioned. Attorneys in the state must also fulfill the training and assessment requirements to a varying degree, unlike under current law where they more or less become notaries automatically admittance to practice in the state.

Senate Bill 263 also stands to provide further clarification on the types of notarial acts permitted within the state of Ohio and increases the fees that may be assessed by notaries for their services. The bill more explicitly lays out prohibited conduct for notaries and gives the Secretary of State's office investigatory and disciplinary authority should such conduct occur. Currently, there is little in the Code to ensure oversight of notaries.

In addition to changes in the commissioning process, this legislation will allow for the first time in Ohio the practice of electronic notarization. A growing trend across the county, electronic notarization allows individuals to take care of notarial acts quickly and efficiently through the use of live audio-video communications. As life becomes increasingly hectic both personally and professionally, electronic notarization has been met with success and attention in the states where it is already established.

To conclude, the Notary Public Modernization Act will simplify Ohio's process for commissioning notaries public while at the same time ensuring that we can better trust the person notarizing our important documents. Moreover, it allows Ohio to once again be a leader in utilizing technological advancements to innovate business practices.

Members of the Committee, we are grateful for your consideration of Senate Bill 263 and would be happy to answer questions at this time.